

ORDINANCE NO. 2077

**AN ORDINANCE OF THE CITY OF SELAH, WASHINGTON
AMENDING SELAH MUNICIPAL CODE 10.38 SIGN REGULATIONS, SECTIONS
10.38.030, 10.38.050 AND 10.38.170.**

WHEREAS, the Planning Commission of the City of Selah has considered certain amendments to Selah Municipal Code (SMC) 10.38, Sign Regulations, establishing an exemption for City sponsored welcome and wayfinding signs; and

WHEREAS, Chapter 43.21C RCW, the State Environmental Policy Act (SEPA) requires the City of Selah to conduct environmental review of development regulation amendments; and,

WHEREAS, the City of Selah conducted SEPA review on the proposed amendments which concluded with the issuance of a Determination of Non-Significance on May 6, 2019, and from which no appeal was taken during the following five day appeal period; and

WHEREAS, the proposed amendments were made available for public review on the City of Selah's website; and,

WHEREAS, public notice of the required public hearing before the Planning Commission was published in the official newspaper a minimum of 10-days prior to the Planning Commission's public hearing on April 22, 2019; and,

WHEREAS, all persons desiring to either provide written testimony or speak for or against the proposed amendments at the public hearing held by the Planning Commission on May 7, 2019, were given a full and complete opportunity to be heard; and,

WHEREAS, the Planning Commission, after having conducted such public hearing, found, determined, and now recommends that the City Council approve such amendments; and

WHEREAS, the City Council of the City of Selah, having considered the record herein and the recommendation from the Planning Commission, hereby finds and determines that approval of such amendments is in the best interests of residents of the City of Selah and will promote the general health, safety and welfare;

NOW THEREFORE BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF SELAH:

Section 1. Findings and Conclusions. The City Council bases its findings and conclusions on the entire record of testimony and exhibits, including the recommendation of the Planning Commission and all written and oral testimony before the City Council and further adopts the Planning Commission's findings as its own.

Section 2. Selah Municipal Code Section 10.38.030, Definitions, amended.

SMC 10.38.030 is amended as follows:

10.38.030 Definitions.

For the purpose of this chapter, certain abbreviations, terms, phrases, words and their derivatives shall be construed as specified in this section or in Selah Municipal Code, Title [10](#), Appendix [A](#), unless the context requires a different meaning. Where terms are not defined in this section or in Selah Municipal Code, Title [10](#), Appendix [A](#), they shall have the ordinary accepted meaning within the context with which they are used. Where an abbreviation, term, phrase, word and their derivative could be construed to fall under two definitions, the more specific shall prevail. Webster's Ninth New Collegiate Dictionary, 1993, shall be the source for ordinary accepted meanings for words not defined in this section or in Selah Municipal Code, Title [10](#), Appendix [A](#). Specific examples are included as illustrations but are not intended to restrict a more general definition.

"Abandoned sign" means any sign located on property that is vacant and unoccupied for a period of more than three months, or any sign which pertains to any occupant, business or event unrelated to the present occupant or use.

"Administrative official" means the mayor of the city of Selah, or the mayor's designee, who shall be the administrative official of this chapter.

"Appeal" means a request for a review of any action on an application by the administrative official, or the building official, of any provision of this chapter.

"Banner" means any sign constructed of lightweight fabric or similar material, weighing less than two ounces per square foot, that is mounted to a pole or building at one or more edges.

"Building official" means the individual so designated per S.M.C. Title [11](#), Chapter [11.04](#).

"Canopy sign" means the message imbedded within the canopy fabric and is a part of the canopy and is considered a wall sign.

"Construction sign" means any sign used to identify the individuals, architects, engineers, contractors or firms involved with the construction of a project or to show the design of the project or the purpose for which the project is intended.

"Directional sign" means a sign directing pedestrian or vehicular traffic to parking, entrances, exits, service areas, or other on-site locations. Also see Section

[10.38.160](#), Directional signs.

"Freestanding sign" means any sign supported by one or more uprights, poles or braces in or upon the ground.

"On-premise" sign means a sign located on and incidental to a lawful use of the premises for advertising the business transacted, services rendered, goods sold or products produced on the premises or the name of the business, name of the person, firm or corporation occupying the premises. Also see Section [10.38.160](#), Directional signs.

"Political sign" means a sign advertising a political party or a candidate(s) for public elective offices, or a sign urging a particular vote on a public issue decided by ballot.

"Portable sign" means a freestanding sign.

"Projecting sign" means a sign that projects from and is supported by a wall of a building. For the purposes of this chapter a projecting sign is considered a wall sign. Also see definition of wall sign.

"Real estate sign" means any sign pertaining to the sale, lease or rental of land or buildings.

"Sign means" any medium, including its structural component parts which is used or intended to attract attention to the subject matter that identifies, advertises and/or promotes an activity, product, service, place, business, or any other thing.

"Sign area" means that area contained within a single continuous perimeter, which encloses the entire sign cabinet, but excluding any support or framing structure that does not convey a message.

"Sign cabinet" means the module or background containing the advertising message but excluding sign supports, architectural framing, or other decorative features, which contain no advertising message.

"Sign height" means the vertical distance measured from the grade below the sign or upper surface of the nearest street curb, whichever permits the greatest height, to the highest point of the sign.

"Sign setback" means the horizontal distance from the property line to the

nearest edge of the sign cabinet.

"Sign structure" means any structure that supports or is capable of supporting a sign. A sign structure may be a single pole and may or may not be an integral part of a building.

"Street frontage" means the length in feet of a property line(s) or parcel line(s) bordering a public street. For corner lots each street side property line shall be a separate street frontage. The frontage for a single use or development on two or more parcels shall be the sum of the individual frontages.

"Use identification" sign means a sign used to identify and or contain information pertaining to a school, church, or residential development, or governmental use (i.e., park, public office, etc.) other than a home occupation in a residential zone.

"Wall sign" means any on premise sign attached to or painted directly on, erected against and parallel to, or projecting from the wall of a structure. Also see Section [10.38.130](#), Wall signs.

"Wayfinding sign" means an off-premises sign that is for the purpose of facilitating vehicular tourist transit to local tourist destinations as designated and recognized by the City.

"Welcome sign or gateway sign" means a sign or signs at the entry points of the city that introduces or welcomes visitors to the city or region.

Welcome signs or gateways signs may incorporate or provide space for advertisements acceptable to the city which are incidental to the signs primary purpose or which may serve to help fund the sign, stimulate the economy within the city, or promote tourism.

"Window sign" means a wall sign.

Section 3. Selah Municipal Code Section 10.38.050, Exempt Signs, amended

SMC 10.38.050 is amended as follows:

10.38.050 Exempt signs.

Except when otherwise prohibited, the following signs are exempt from the application, permit and fee requirements of this chapter when the standards of this chapter are met:

- (1) Political signs, located on private property, which during a campaign, advertise a political party or candidate(s) for public elective office or promote a position on a public issue, provided such signs shall not be posted more than ninety days before the election to which they relate and are removed within fifteen days following the election;
- (2) A sign advertising a public charitable or civic event, located on private property, which advertises the charitable or civic event, provided such signs shall not be posted more than thirty days prior to the scheduled date of the event to which they relate and are removed within three days following the event;
- (3) Nameplates not to exceed two square feet in area bearing only the name and occupation of the occupant;
- (4) Canopy signs when an integral part of the canopy fabric and the canopy complies with International Building Code requirements; and
- (5) Banners advertising grand openings, special sale events, etc. provided the aggregate size of the banner does not exceed the size limitation for a freestanding sign on the same property. Banners may be displayed a maximum of two consecutive weeks with a maximum display period of eight weeks annually.

(6) Welcome signs or gateway signs that introduce or welcome visitors to the city or region.

(7) Wayfinding signs.

Section 4. Selah Municipal Code Section 10.38.170, Off-premise signs and billboards, amended.

SMC 10.38.170 is amended as follows:

10.38.170 Off-premise signs and billboards.

(a) *Off-Premise Signs.* New off-premise signs are prohibited. Off-premise signs existing before July 10, 1979 shall be considered grand-fathered and shall be regulated in Section 10.38.180.

(b) *Billboards.* New billboard signs are prohibited. Billboard signs existing before July 10, 1979 shall be considered grand-fathered and shall be regulated in Section 10.38.180.

(c) Welcome/Gateway signs. For the purposes of this Chapter, Welcome/Gateway shall not be considered off-premise signs and billboards, and are exempt from the prohibitions of this section.

Section 5. Severability/Validity. The provisions of this ordinance are declared separate and severable. If any section, paragraph, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. Effective Date. This ordinance shall be in full force and effect 5 days after its passage and publication as required by law.

ORDAINED this 28th day of May, 2019.



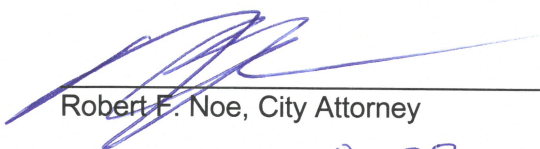
John Tierney, Mayor Pro Tem

ATTEST:



Dale E. Novobielski, Clerk Treasurer

APPROVED AS TO FORM:



Robert F. Noe, City Attorney

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